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STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL
RELATIONS
DIVISION OF APPRENTICESHIP
STANDARDS

AUDIT REPORT
For

Contra Costa County
Plumbing and Pipefitting Industry,
JATC
File 00042

The Division of Apprenticeship Standards (DAS) creates opportunities for Californians to gain employable lifetime skills and provides employers with a highly skilled and experienced workforce while strengthening California's economy.

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SUMMARY

The Division of Apprenticeship Standards (DAS) presents its audit report concerning the Contra Costa County Plumbing and Pipefitting Industry, Joint Apprenticeship Training Committee (JATC) program; DAS file number 00042, (hereafter "Program")

The Program did submit a revision of their Standards to the DAS on June 9, 2005 but are waiting on the DAS for an approval or reply on needed corrections with the Standards. Other than that, the Program is complying with all other Labor Codes and California Code of Regulations.

The graft below shows the Program's recorded completions in the last six years. The Program selects indentures based on how many they can keep employed after graduation.

PROGRAM COMPLETIONS

	2004	2005	2006	2007	2008	2009	2010	2011
DAS Records	10	13	11	8	15	*	N/A	N/A
Program Records	11	12	11	8	15	14	N/A	N/A

* The numbers for these years were not available.

FINDINGS AND RECOMMENDATIONS

As noted in the detailed report which follows, the auditor found one specific action necessary to bring the program into compliance with legal requirements. The Program is committing to keep the apprentices on schedule. The training facility and its instructors keep accurate records on class attendance and completion of Related Supplemental Instruction (RSI). Accurate records are in place to notify employers of apprentice upgrades and rate increases and apprentices are keeping continuously employed. The program completions that appear in the chart above show proof that the Contra Costa County Plumbing and Pipefitting Industry, Joint Apprenticeship Training Committee (JATC) is committed to helping apprentices reach their goal of becoming a journeyman in the trade.

Detailed findings and recommendations are included in this report. The coordinator was presented with a copy of the Findings and Recommendations to assist him in preparing the appropriate corrective action. The DAS will visit the program in the future to verify compliance with the recommendations. These DAS audit procedures allow the program to respond to the recommendations and their response will become part of this formal report.

INTRODUCTION/BACKGROUND

The week of May 11, 2009, the Auditor met with the Coordinator and the office staff, reviewed personnel files, examined records, observed administrative activities, conducted a walk-through of the training facility and visited six job sites in connection with the audit. The Contra Costa County Plumbing and Pipefitting Industry, Joint Apprenticeship Training Committee (JATC) program operates as a Labor/Management Cooperative and the principal partners in the cooperative effort are the members of the United Association of Journeymen & Apprentices of the Plumbing & Pipefitting Industry of the United States, Local 159. The program has an Apprentice Trust Fund. The programs funding mechanism comes from employer's contributions, Related Supplemental Instructional (RSI) Funds and state prevailing wage training fund contributions.

The daily operations, management and administrative functions are run by the Apprenticeship Coordinator and the office staff with seven Training Instructors. The Program's office is located at 1308 Roman Way, Martinez, CA 94553.

Employers are approved to train when they have completed an Agreement to Train Apprentices, DAS-7 form. The program indicated that they dispatch to both union signatory employers and non-union employers who agree to abide by the program's standards, rules, regulations and policies.

The apprenticeship program provides a training program for the following occupations:

<u>Name of Occupation</u>	<u>Term of Apprenticeship</u>	<u>Number of Apprentices</u>
Plumber	5 years	68
Refrigeration Mechanic	5 years	0
Steamfitter	5 years	1

Currently, the Program does not have any apprentice in the refrigeration mechanic occupation, but plan to recruit in the future.

The Related and Supplemental Instruction is provided by the programs training center which is at the same site as the program operations. Each apprentice enrolled receives a comprehensive orientation packet that includes the rules and regulations, an explanation of the program standards, the Apprentice Record Book and a class schedule. The Diablo Valley College is the apprenticeship program's Local Education Agency (LEA), located in Contra Costa County.

SCOPE AND FOCUS

The principal objectives of the audit are to ensure the program is complying with their standards, that all on-the-job training is performed by a journeyman, that all related and supplemental instruction required by the apprenticeship standards is being provided, that all work processes in the apprenticeship standards are being covered, and that graduates have completed the apprenticeship programs' requirements.

The audit focused on reviewing records and activities that tend to support and substantiate the programs' efforts, practices, system and capabilities to provide and deliver the on-the-job training and related instruction. The programs' policies and procedures and procedures were reviewed to determine if they support the programs' approved standards.

METHODOLOGY

After completing an initial review of the programs' standards and records on file with the DAS, an audit plan was established with the following steps:

1. Notified the program 14 days in advance of our intent to audit.
2. Prepare an entrance interview
3. Organization of all working paper to conduct the interview
4. Confirm the location where records are maintained
5. Conduct a review of all apprentice files
6. Set the time and date of the meeting
7. Schedule inspection of the training facility and job sites
8. Request and review copies of the committee meeting minutes for the last 12 months.

All steps listed above were accomplished and include interviews with primary staff, apprentices and job site supervisors'.

AUDIT RESULTS

1. STANDARDS

The objective is to determine whether the programs are submitting periodic revisions to their standards and if standards are reasonably current. "Standards" are a written document containing all terms and conditions for the qualification, recruitment, selection, employment and training, working conditions, wages, employee benefits and other compensation for apprentices. It may also include other provisions and statements. All apprenticeship programs are required to submit their apprenticeship standards to the DAS Chief for approval. The California Code of Regulations states the program must submit revisions to its standards when necessary.

(a) Findings:

At the time of this Audit, the Program is revising their Standards and they are being reviewed by the Division of Apprenticeship Standards, Operations Support office in San Francisco.

One change in the Standards is the cancellation of two occupations, being Utility Pipeline Installer and Irrigation Sprinkler & Landscape Installer. These two occupations are no longer covered by the Contra Costa County Plumbing & Pipefitting Industry, JATC.

(b) Recommendations:

The Program will need to follow-up on the progress of their Standards each month until they receive a signed copy and approval from the DAS Chief. **This will be due in 90 days.**

Section 205 (f), 212 (a)(6) (7), (c)(2) (11) of the California Code of Regulations states that the program sponsor must submit revisions to its standards when necessary.

2. RULES AND REGULATIONS

The objective is to determine if the programs have adequate rules and regulations, are implementing them as required, and provide a copy to the apprentices. The rules and regulations can be

defined as an orientation or workshop session that explains the Apprenticeship Program's Standards and the operation of the apprenticeship program. It includes information on what is expected by both the program and the apprentice. When the apprentice is approved by the program to enter the training (passes an oral interview) he/she is given a copy of the rules and regulations and attends an orientation session with both the coordinator and educational instructor. Then the apprentice must sign the document indicating they have received, read and understood the rules and regulations.

(a) Findings:

An orientation is given to all Apprentices on the first day of school and all of them receive a copy of the Rules & Regulations. The apprentice signs a form indicating they did receive a copy and this form is located in their personal folder.

(b) Recommendations:

There are no recommendations at this time.

Section 3071, 3073, and Section 212 (a) (6) (7), (c) (2) (3) (8), (14) of the California Code of Regulations states that the program must establish rules and regulations that govern the program.

3. ACTIVE APPRENTICES AND CANCELLATIONS

The review of this item is to determine if the program is monitoring apprentices as they enter and proceed through the program. It is also to determine if the program is maintaining accurate records on both the active and cancelled apprentices. The program should have the ability to provide evidence of procedures used for periodic reviews and evaluations of the apprentice's progress in job performance and related instruction and maintenance of appropriate progress records. In addition, the program should have a process in place to notify the DAS when an apprentice leaves the program.

(a) Findings:

The Program's enrollment of apprentices at the time of this Audit is 56 and this is a contributing factor in keeping each apprentice on schedule with work and schooling. The

apprentices turn in their Apprentice Record Books every month to the Coordinator. Each book is verified and signed by the supervisor on the job. This provides a record of the progress of each apprentice.

A review from a list of randomly selected Apprentices' files found the following documents in each file: DAS Form 1; US Department of Labor application; JATC application; Union dues form; Colleges of Contra Costa application; Scholarship Loan application; High School Diploma or GED; Standard of Excellence; signed acknowledgement of copy of Rules & Regulations; signed copy of Harassment policy; JATC Questionnaire and acceptance letter. Other documents were: change of address, "make up hours" for RSI; discipline letters; picture of apprentice; apprentice evaluations (which include attitude & Interest, quality of work, attendance, adaptability, quantity of work, punctuality, judgment, learning & retention, dependability, and initiative.)

(b) Recommendations:

There are no recommendations at this time.

Section 205 (a)(1)(2) (i), 212 (a)(6) (7)(8), (b)(9), (c)(2)(10) 224 of the California Code of Regulations states that the program sponsor must maintain accurate apprenticeship records and submit changes, updates and revisions of an apprentice's status when necessary.

4. ON -THE JOB TRAINING (OJT) PROGRESS RECORDS, ADVANCEMENTS AND EVALUATIONS

Our review is to determine if apprentices are progressing on schedule, that the program is maintaining adequate OJT records, receiving periodic evaluations and if the program has an adequate records and a system in place to ensure that apprentices are covering all the work processes.

(a) Findings:

The program uses the following items to track apprentice's schedule, OJT records, periodic evaluations and work processes:

- The apprentice must abide by the requirements set by the program and the terms of the Master Labor Agreement.

Therefore, if the apprentice is not current in all fees and dues to the U.A. Local 159, they will not progress to the next level of training.

- The JATC Apprentice Record Book must verify work processes and track work hours. This book must be signed by the employer before turning in the book to the program.
- The employer provides work evaluations every six months. The program will notify the employer and apprentice when advancements are earned insuring timely upgrades and employer being aware of proper rates of pay and benefits.
- The Program uses "Union Master" database to keep a record for each apprentice. It keeps track of how many work and class hours the apprentice has completed. The committee reviews each level change and the program keeps the date of change in the computer.
- To keep the apprentice on schedule the program will send out written notices on class schedules, employer letters and evaluations. Apprentices failing to meet requirements are cited and notices are mailed with a request to explain why they should not be disciplined or terminated.
- The apprentice must complete 8000 hours of on-the-job hours in all occupations, of Plumber, Steamfitter and Refrigeration Mechanic before graduation.

(b) Recommendations:

There are no recommendations at this time.

Section 3073.1, 3076, 3078(e) of the Labor Code, and Sections 208, 210, 212(a) (4) (5) (7) (8), (b) (9), (c) (2) (6) (8) (9) (16) (18), of the California Code of Regulations. The program must offer training and supervision in all the work processes defined in its standards and has a system to ensure that apprentices cover all the work processes. The program must have a system of documenting and maintaining records that will assist in the review and evaluation of the apprentice's progress in job performance. The program must have a procedure for recording and maintaining accurate records, and a procedure for periodic review and evaluation of progress.

5. RELATED AND SUPPLEMENTAL INSTRUCTION (RSI)

The objective of our examination was to determine if apprentices are progressing on schedule, attending classes, covering the entire course of study, and to ensure the programs are

maintaining accurate records with adequate systems in place to provide training.

(a) Findings:

The program has Related and Supplemental Instruction (RSI) and a Local Education Agency (LEA) which is Diablo Valley College located at 321 Golf Club Road, Pleasant Hill, CA 94523. The classroom training center is located at the same location as the program.

The apprentice's file, on the database, included records of attendance, classroom hours, and evaluations/grade reports from the instructors. The apprentices will attend 216 hours of instruction per year. Each student is issued a calendar with the schedule of classes. Classes start promptly at 5:00 P.M. for a three to four hour period. The classes are offered Monday through Thursday during the regular semester of Diablo Valley College.

(b) Recommendations:

There are no recommendations at this time.

Section 3073.2, 3078(d), of the California Labor Code, and Section 205(e)(h), 212(a)(3)(6)(7) (c)(13)(14) of the California Code of Regulations states that it is recommended that the program provide a minimum of 144 hours per year of supplemental instruction for each year of apprenticeship and adequate arrangements for related and supplemental instruction, and have the ability and commitment to train apprentices with current industry standard criteria.

6. TRAINING CENTER

The objective is to ensure the program has adequate facilities, tools, materials and equipment to train apprentices, and to determine if the facilities are utilized and adequate for training.

(a) Findings:

There are seven certified instructors in this program, allowing 6 to 7 students per teacher. During the visit classes were not in session due to a break in classes. The Coordinator and the Auditor toured the training center, which consists of five large classrooms, these include a computer room for the 5th year Apprentices and a break room. The shop labs are utilized for demonstrations and on-hand working booths to make special projects. Each apprentice must complete a

variety of shop projects and show competency in applying the trade. The labs include a tool room, Mid Gas stations, and arc welding stations. The instruction is always done with good health and safety practices in mind.

(b) Recommendations:

There are no recommendations at this time.

Section 3074 of the California Labor Code—Section 212(a) (3) (4) (8), (c) (13) (12), 212.3 of the California Code of Regulations states that the program sponsor must have adequate arrangements for related and supplemental instruction.

7. MECHANISM TO KEEP APPRENTICES REASONABLY EMPLOYED

Our objective is to determine if apprentices are kept reasonably employed, to ensure the program has adequate systems in place to rotate apprentices so they cover all work processes, and to provide apprentices with continuing employment in the event of a layoff.

(a) Findings:

The review found the Program has an established system to keep apprentices reasonably employed during these economical times. Apprentices are dispatched by Local 159 office for all job placements when they are on the out of work list. It is the apprentice's responsibility to keep the office advised of any phone or address changes that may occur. It is also the responsibility of the apprentice to be current in all fees or dues to the Local 159 to be eligible for dispatch. The union only intakes new apprentices to job availability. The Coordinator is in communication with employer and apprentices for job placement also.

(b) Recommendations:

There are no recommendations at this time.

Section 3080 of the Labor Code, and Section 212 (b) (7) (9), (c) (16) (18) of the California Code of Regulations. The program(s) must have a mechanism to keep apprentices reasonably employed and maintain accurate documentation Section 3080 of the Labor Code, and Section 212 (b) (7) (9), (c) (16) (18) of the California Code of Regulations.

8. JOB SITE VISIT

A review of the job site offers an opportunity to view a job in progress, observe the work that is being done, and allows us to discuss the operation of the program with the apprentice. It enables direct contact with the apprentice to determine the following:

- If the apprentice is performing the various task listed within the work processes of their trade.
- If advancements are made on schedule.
- If the apprentice is receiving the correct pay and benefits.
- If the apprentice is kept employed on a reasonably continuous basis.
- If the programs' mechanism to keep apprentices reasonably employed is adequate.

(a) Findings:

The Coordinator was only able to find six job sites to visit and the Auditor and Coordinator went to all six in one day. The work sites included a High School, HUD apartments, apartments owned by BART, hospitals and a library. All of these jobs were Public Work projects.

The only occupation being found was plumbers and twelve apprentices from year one to year five were interviewed. All the above questions were asked of each apprentice and journeymen. The ratio was one apprentice to one journeyman.

All apprentices had the equipment, materials and tools of the trade sufficient to train apprentices. Each apprentice receives proper pay and benefits and attends OJT classroom training. The interviews confirmed apprentices are advanced on schedule. It was confirmed that each apprentice writes in the total hours of the work processes in the apprentice record book each day. The book is signed by the job site supervisor validating the OJT work hours. The interview with the supervisor confirmed there is a proper ratio of journeyman to apprentice and adequate supervision.

(b) Recommendations:

There are no recommendations at this time.

Section 208, 212(a) (1) (2) (4), (b) (4) (5) (6), (c) (6) (13) (14) of the California Code of Regulations states that all on-the-job training will be performed by journeymen, that all related and supplemental instruction required by the apprenticeship standards will be provided, that all work processes in the apprenticeship standards are being covered, and that graduates have completed the apprenticeship program's requirements.

9. SELF-ASSESSMENT REVIEW AND PROGRAM IMPROVEMENT PLAN

The objective is to determine if the program has submitted the annual Self-Assessment Review and Program Improvement Plan. The California Code of Regulations Title 8, Section 212.3 requires programs to perform an annual self-evaluation and to create an improvement plan. The DAS now requires that each program submit a copy of their Annual Self-Assessment Review and Program Improvement Plan to their apprenticeship consultant by February 1st of each year.

(a) Findings:

The required annual Self-Assessment Review and Program Improvement Plan was submitted for the 2008 year to the DAS on January 15, 2009.

(b) Recommendations:

There are no recommendations at this time.

Section 212 (a) (6) (7), (c) (2) (11), 212.3 of the California Code of Regulations states that the program sponsor must submit annually a Self-Assessment Review and Program Improvement Plan to the DAS.

10. COMMITTEE MINUTES AND MEETINGS

Joint apprenticeship committees have equal representation from labor and from management. Each committee also includes a consultant representing the Division of Apprenticeship Standards or the Bureau of Apprenticeship and Training, U.S. Department of Labor. There is also an advisor from the local public school district and such other advisors and the apprenticeship consultant act without vote. This committee is responsible for administering the Standards for this program. In carrying out its functions, the committee has certain authority under the law. The actions, therefore, must be in accordance with approved apprenticeship standards and should be recorded in the minutes.

The objective is to determine if the apprenticeship committee is meeting on a regular basis, documenting actions, discussing and reviewing apprenticeship records, and making appropriate assessments and evaluations.

(a) Findings:

The Program provided the Committee minutes for the past year. The meetings are held monthly, unless more meetings are necessary to address certain issues. The frequency of the meetings was established and written in a trust document.

This Committee is a Labor/Management Co-Operative, which states in the Standards there are five (5) Labor Trustees and five (5) Management Trustees. The committee also includes the apprenticeship coordinator and Local Education Agency Representative (LEA).

The Minutes reflect the following items: Coordinator's report, correspondence, attendance, the DAS Consultant report, finance report, unfinished business and new business. The Minutes indicate any disciplinary actions and evaluations for the apprentices.

(b) Recommendations:

There are no recommendations at this time.

Section 3076, 3080(b), 3078(d)(f), 3079, 3093(k), of the California Labor Code, and Section 213, 218, 212(7), 208(5), 205(e)(f)(g)(i), 212(c)(1)(6) (9), 224 of the California Code of Regulations states that the program sponsor must maintain adequate documentation and records.

11. COMMENTS FROM PROGRAM SPONSOR

Comments, if submitted by the program sponsor during the 14-day review and comment period, will be included with this report to the Chief of DAS and ultimately to the California Apprenticeship Council.

12. CORRECTIONS AND TIMELINE

The audit findings and recommendations are set forth in this report. The program has 14 days from the receipt of this report to review and submit comments on the report.

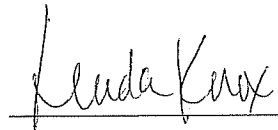
Within 10-days following the receipt of comments or the completion of the comment period, a final report will be submitted by the Chief of DAS to the California Apprenticeship Council.

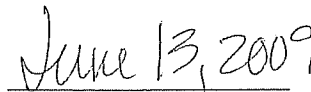
The final report will detail the findings with recommendations for remedial actions. The programs must remedy all deficiencies and be in full compliance with their apprenticeship standards. The programs must notify the DAS in writing when deficiencies have been remedied. A DAS representative will schedule an appointment to review the completion of the remedial actions. Failure to comply may be grounds for withdrawing state approval of the apprenticeship programs.

13. REMARKS

The results of this audit do not modify, replace or negate other duties and requirements or any previous notices you may have received regarding the fulfilling of your obligations prior to or after the audit period. In addition, law changes or new rulings might result in different findings in future audits.

Respectfully submitted by,





Linda Knox
Apprenticeship Consultant-Auditor
San Francisco and San Jose Offices

Date

Linda Knox

From: Vince Radosevich [vince@plumbers159.org]
Sent: Tuesday, July 07, 2009 4:00 PM
To: Linda Knox
Subject: Audit report

File #0042

Dear Ms. Knox,

After reviewing the preliminary audit report I concur with your findings.

Vince Radosevich
Training Coordinator

Plumbers & Steamfitters Local 159 JATC
1308 Roman Way
Martinez, CA 94553

Phone: 925-229-0883
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ADDRESS REPLY TO:
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Date: June 16, 2009

To: Mr. Vince Radosevich, Training Coordinator
C. C. C. Plumbing and Pipefitting Industry, JATC
1308 Roman Way
Martinez, California 94553

DAS File #00042

Ref: Apprenticeship Program Preliminary Audit Report

Dear Mr. Radosevich,

The Audit for the Contra Costa County Plumbing and Pipefitting, JATC conducted in accordance with the provisions of the State of California Labor Code Section 3073.1, is complete. The audit resulted in the findings and deficiencies noted in the preliminary audit report.

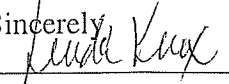
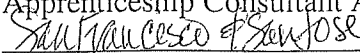
The audit, findings and recommendations, and careful examination of your apprenticeship program, are outlined in the report attached with this cover letter. The program now has 14 days from the receipt of this letter in which to review and submit comments on the report. Within 10 days of the close of your comment period a final report will be submitted to the California Apprenticeship Council. The final report will detail the findings with recommendations for the remedial action.

At the time of the audit you were informed of the audit procedures and informally presented with a brief overview of audit findings and deficiencies. If you have any questions regarding the report, please contact me for assistance. If there are *any formal comments you wish to make, please submit them in writing* to me at the above address, so that I may forward them to the Chief/DAS along with the report for his review and recommendations.

The results of this audit do not rescind or replace other duties and requirements or any previous notices you may have regarding the fulfilling of your obligations prior to or after the audit period. Also, law changes or new rulings may result in different findings for future audits. Please feel free to call on us any time we can be of service.

You may contact me, Linda Knox, at the San Francisco office at (415) 5573914, or by Email at www.lknox@dir.ca.gov.

Thank you, to both you and your staff for your assistance and cooperation during the audit.

Sincerely,

Apprenticeship Consultant Auditor
 Office
DAS Comp. Letr